

Advisory Opinions on Consent Agenda - September 2021

Item #	Docket #	Caption	Analysis	Recommendation
G7	2021-287	Withdrawal of an Advisory Opinion Request from Dale McGee on behalf of the Allen Parish Fire Protection District #4 Board	Mr. McGee has requested that the Allen Parish Fire Protection District #4's advisory opinion request be withdrawn as they have decided not to appoint Jacob LaCour as the Fire Chief.	Allow withdrawal of the advisory opinion request.
G8	2021-479	Advisory Opinion request from Lionell Lawson, Co-Director of the Utilities Department for the City of Zachary, regarding the City hiring his son on the gas crew in the Utilities Department.	Section 1119A prohibits Lionell Lawson's son, Jeffry Demond Lawson, from being employed by the City of Zachary in the Utilities Department, since Mr. Lawson is an agency head over the Utilities Department.	Adopt the proposed advisory opinion.
G9	2021-522	Request to withdraw a request for an advisory opinion regarding whether the Code of Governmental Ethics would prohibit Caddo Parish Commissioner John E. Atkins and his family from creating a company to invest in Project Horntail.	Commissioner Atkins wishes to withdraw his application as he and family/business partners have decided not to pursue the investment. Therefore, the matter is moot.	Approve withdrawal request.
G10	2021-534	Disqualification Plan submitted by Many Police Department Chief of Police Cheryl Wooley regarding Kyle Cook, Assistant Chief of Police, and his father, Stanley Cook, employee with the Department.	Based on the Disqualification Plan presented, it appears to comply with R.S. 42:1112C and the Board's Rules.	Approve the Disqualification Plan.

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G11	2021-535	Request for an advisory opinion from William Larry Gay, Commissioner of St. Tammany Fire Protection District #1, relative to being appointed Chair of the Fire Protection District following the termination of his position. St. Tammany Parish has a population of 233,740.	Should Mr. Gay resign his position, he would be prohibited, for two years following his termination, from being appointed Chair of the Fire District, since Section 1121A(2) prohibits a former member of a board or commission from being employed in any capacity or appointed to any position by that board or commission. Further, while La. R.S. 40:1506G(3) allows a board to select a chairman, it does not allow them to choose members of the board as the chairman, unlike Section 1506G(4) that authorizes board members to select a secretary-treasurer from among the members of the board. Thus, the four commissioners cannot select one of their members to be the Chair.	Adopt the proposed advisory opinion draft.
G12	2021-537	Advisory Opinion Request from Lisa MacDonald, 911 Communications Coordinator with the Louisiana Bureau of Emergency Medical Services, regarding whether she may obtain part-time employment with East Baton Rouge Communications District.	Ms. MacDonald will not be receiving a thing of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the Louisiana Bureau of Emergency Medical Services and in which she has participated. This does appear to be a potential dual-employment issue.	Adopt proposed advisory opinion. Advise Ms. MacDonald to seek advice from the AG.

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G13	2021-538	A Request for an Advisory Opinion, submitted by Randy Sexton [Chairman of the North Webster Parish Industrial District (NWPID)], regarding whether the Louisiana Code of Governmental Ethics (Code) would prohibit NWPID from accepting a bid from a person who votes to approve the membership of some NWPID board members from his community.	Based on the facts presented, the Code does not prohibit the NWPID from accepting the bid submitted by 3-D Contracting Corp.	Adopt the proposed advisory opinion.
G14	2021-539	Advisory Opinion request from Kevin D. Guidry, regarding his potential service on the Board of Commissioners for the Lake Charles Harbor & Terminal District.	The Code would not prohibit Kevin Guidry from serving on the Port Commission, since he is no longer employed by L'auberge Resort.	Adopt the proposed advisory opinion.
G15	2021-652	Request an advisory opinion from Taylor Watts, a former employee of the Louisiana Workforce Commission relative to post-employment restrictions.	The Ethics Code would not prohibit Taylor Watts from being employed as a Mobile Workforce Center Specialist with LHRDI following her termination from LWC as an Industry Sector Coordinator for Coastal Restoration. Although LHRDI maintains a business relationship with LWC, Ms. Watts did not work on any projects associated with LHRDI while employed with LWC. Further, Ms. Watts, while employed with LHRDI will not provide any assistance in matters involving Coastal Restoration.	Adopt the proposed advisory opinion draft.

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G16	2021-653	Advisory opinion request regarding the employment of David Landry with Gulf South Risk while Gulf South Risk has a contractual and business relationship with the Iberia Parish School Board and David Landry's father, Wayne Landry, is employed as General Counsel with the school board.	David Landry is not prohibited from accepting employment with Gulf South Risk while Gulf South Risk has a contractual and business relationship with the Iberia Parish School Board and while David Landry's father, Wayne Landry, is employed as General Counsel with the school board. However, David Landry would be prohibited from being the claims adjuster on any claims involving the Iberia Parish School Board while his father is employed as the General Counsel and participates in settlement matters involving workman compensation claims adjusted by Gulf South Risk. David Landry would not be prohibited from providing claim adjusting services for other school boards or clients as a claims adjuster for Gulf South Risk. David Landry would be required to file an annual financial disclosure statement pursuant to La. R.S. 42:1114.	Adopt proposed advisory opinion.
G17	2021-666	Disqualification Plan regarding Eric Mancuso Sr. and Eric Mancuso Jr., both employed by the Sewerage and Water Board of New Orleans.	The SWBNO has submitted an updated disqualification plan naming M. Ron Spooner, interim General Superintendent, as the person who will handle any issues involving Eric Mancuso Jr.'s employment. The updated disqualification plan meets the requirements of Chapter 14 of the Title 52 of the Louisiana Administrative Code - Rules of the Board of Ethics.	Approve the proposed opinion.
G18	2021-700	Advisory Opinion request from DeMarkus Hill, an employee with the Louisiana Workforce Commission, regarding post-employment restrictions.	The Code would not prohibit DeMarkus Hill from being employed as a Mobile Workforce Specialist with the Institute, since he would not be participating in the same transactions in which he participated while employed by LWC, and he would not be rendering the same services to his former agency, LWC American Job Center in Ouachita Parish.	Adopt the proposed advisory opinion.